PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE ⊈lion Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | Substitute 100 MARKET | | Ca | omplete if Known | |
|-----------------------------------|---|--------------------|------------|------------------------|--------------------------|
| | FORMATION DISCLOSURE ATEMENT BY APPLICANT (use as many sheets as necessary) | Application Number | 09/770,693 | | |
| | | | | Filing Date | January 26, 2001 |
| | First Named Inventor | Steven V. Beer | | | |
| (use as many sheets as necessary) | | | (יכיי | Art Unit | 1638 |
| | | | | Examiner Name | A. Kubelik |
| Sheet | 1 | of | 1 | Attorney Docket Number | 19603/2501 (CRF D-2375A) |

| U.S. PATENT DOCUMENTS | | | | | | | | |
|-----------------------|--------------|--|--------------------------------|---|---|--|--|--|
| Examiner Initials | Cite No.' | U.S. Patent Document Number - Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicam of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | | | |
| | | US- | | | | | | |
| | | US- | | | | | | |
| | | US- | | | | | | |
| | Ī | US- | | | | | | |
| | | US- | | | | | | |
| | | US- | | | | | | |
| | | US- | | | | | | |
| | | US- | | | | | | |
| | | US- | | | | | | |
| | | US- | | | | | | |

| | FO | REIGN PATENT DO | CUMENTS | | | | | |
|--------------|--|--|--|---|--|--|--|--|
| Cite No.3 | Foreign Patent Document Kind Code ³ Country Code ³ Number ⁴ (if brown) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | ····· | | | |
| | OTHER PRIOR A | ART – NON PATENT L | TERATURE DOCUMENTS | | | | | |
| Cite No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.)., date, page(s), volume-issue number(s), publisher, city and/or country where published. | | | | | | | |
| 1 | BAUER et al., "New Transgenic Approaches for Possible Increased Resistance to Fire Blight," 8th International Workshop on Fire Blight, International Society for Horticultural Science Kusadasi Turkey (Oct. 12-15, 1998) (Abstract) | | | | | | | |
| | Control, Habadasi, Farkey | (00.12.13, 1770 | , (, 1000,001) | | | | | |
| | / | -/1/ | 7 | | | | | |
| | No.1 | Cite No. 1 Cite No. 2 Country Code Number 4 Country Code Number 4 Cite Include name of the authoritem (book, magazine, jour Bauth, "New Trans Blight," 8th International V | Cite No. 1 Foreign Parent Document Kind Code MM-DD-YYYY Country Code Number (if brown) OTHER PRIOR ART - NON PATENT LI Cite No. 1 Include name of the author (in CAPITAL LETTER item (book, magazine, journal, serial, symposium, c publisher, city and/or cot Blight," 8th International Workshop on Fire Item | No. ¹ Country Code ¹ Number ⁴ Kind Code ¹ (if brown) Country Code ¹ Number ⁴ Kind Code ¹ (if brown) Name of Patentee or Applicant of Cned Document MM-DD-YYYY Applicant of Cned Document OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS Cite No. ¹ Include name of the author (in CAPITAL LETTERS), title of the article (when approtent item (book, magazine, journal, serial, symposium, catalog, etc.)., date, page(s), volum publisher, city and/or country where published. BAUER et al., "New Transgenic Approaches for Possible Increased." | Cite No. Some of Patentee or Applicant of Cited Document OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS Cite No. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.)., date, page(s), volume-issue number(s), publisher, city and/or country where published. BAUER et al., "New Transgenic Approaches for Possible Increased Resistance to Fire Blight," 8th International Workshop on Fire Blight, International Society for Horticultural | | | |

Signature *EXAMINER Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered Include copy of this form with next communication to applicant.

Date

Considered

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Examiner

¹ Applicant's unique citation designátion number (optional). ² See Kinds Codes of USPTO Patent Documents at <u>www.uspto.gov</u> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is